



ADVISORY BULLETIN

June 22, 2020

Supersedes November 1, 2019

Edible Marijuana Products

The intent of this bulletin is to publish guidelines for shelf stable edible marijuana products in accordance with the administrative rules. The Marijuana Regulatory Agency (MRA) may issue future lists or bulletins that supersede this bulletin.

Rule 3(10) in the Marihuana-Infused Products and Edible Marihuana Product Rule Set - R 420.403(10)

A producer shall not produce an edible marihuana product that requires time and temperature control for safety. The agency may publish validation guidance for shelf stable edible marihuana products. The agency may request to review the validation study for a shelf stable edible marihuana product. The end-product must be a shelf stable edible marihuana product and state the following information:

(a) A product expiration date, upon which the marihuana product is no longer fit for consumption. Once a label with an expiration date has been affixed to a marihuana product, a licensee shall not alter that expiration date or affix a new label with a later expiration date.

Rule 3(11) of the Marihuana-Infused Products and Edible Marihuana Product Rule Set - R 420.403(11)

As used in this rule, the term “edible marihuana product” means any marihuana-infused product containing marihuana that is intended for human consumption in a manner other than smoke inhalation.

The requirements in this bulletin **do not** apply to vape products, defined as the marihuana concentrate in the e-cigarette or vaping device which is intended for vapor inhalation.

Rule 3(8) of the Marihuana-Infused Products and Edible Marihuana Product Rule Set - R 420.403(8).

Foods that require refrigeration for safety to prevent the growth of microorganisms and the production of toxins cannot be produced as edible marijuana products. These products are predisposed to the growth of microorganisms – bacteria, protozoa, and some fungi – and the production of toxins that can cause illness. Toxins are any poison produced by an organism, including the bacterial toxins that are the causative agents of botulism.

Here are examples of products that may **NOT** be produced as an edible marijuana product:

- Hummus

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- Garlic in oil mixtures
- Ice and ice products including ice cream
- Pies/cakes that require refrigeration (banana cream, pumpkin, lemon meringue, custard)
- Cheesecake and cakes with glaze and/or frosting that requires refrigeration
- Vegetable jams/jellies such as hot pepper jelly
- Milk and dairy products like butter, cheese and yogurt
- Canned fruit or vegetable butters like pumpkin and apple butter
- Focaccia style breads with fresh vegetables and/or cheeses
- Meat and meat products like fresh and dried meats (jerky)
- Fish and fish products like smoked fish
- Cut melons
- Caramel apples
- Cut tomatoes and chopped/shredded leafy greens
- Products made from fresh cut tomatoes, cut melons and cut leafy greens
- Products made with cooked vegetable products that are not canned

Here are examples of products that **MAY** be produced:

- Breads, cookies, muffins and cakes
- Cooked fruit pies, including pie crusts made with butter, lard or shortening
- Fruit jams and jellies (as defined in 21 CFR part 150) in glass jars that can be stored at room temperature (except vegetable and other non-fruit-based jams/jellies)
- Confections and sweets (made without alcohol)
- Dry herbs, herb mixtures, dip and soup mixes
- Popcorn, granola, coated/uncoated nuts, dehydrated vegetables and fruits
- Chocolate covered pretzels, marshmallows, graham crackers and cereal bars
- Dried pasta made with or without eggs
- Roasted coffee beans or ground roasted coffee
- Vinegars and flavored vinegars

Some products require additional processing steps to be shelf stable. To be shelf stable, perishable food must be treated by heat and/or dried to destroy foodborne microorganisms that can cause illness or spoil food. The agency requires proof that products in this category have been processed properly to prevent foodborne illness. Products in this category cannot be produced without agency approval.

Here are examples of edible marijuana products that will need additional processing to be shelf stable:

- Salad dressings
- Sauces and condiments, including barbeque sauce, hot sauce, ketchup and mustard

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- All beverages, including fruit/vegetable juices, Kombucha tea and apple cider
- Canned pickled products like corn relish, pickles and sauerkraut
- Canned fruits and vegetables like salsa and canned peaches

The items in this bulletin are a representative list and this list is not intended to be exhaustive.

**Questions may be sent to the Marijuana Regulatory Agency Operations Support Section
via email at MRA-Compliance@michigan.gov**